

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KATHERINE KENNEDY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

Case No. 05-72642

DISTRICT JUDGE  
ARTHUR J. TARNOW

MAGISTRATE JUDGE  
R. STEVEN WHALEN

**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [DE 19] DENYING PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT [DE 12], GRANTING DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT [DE 18], AND AFFIRMING ADMINISTRATIVE DECISION**

Before the Court are Plaintiff's motion for summary judgment [DE 12] and Defendant's motion for summary judgment [DE 18]. Magistrate Judge Whalen filed a report and recommendation [DE 19] recommending that Plaintiff's motion be denied and that Defendant's motion be granted.

The Court having reviewed the parties' pleadings and the Magistrate Judge's R&R and being otherwise advised in the premises,

IT IS HEREBY ORDERED that the report and recommendation is ADOPTED as the findings of the Court.

IT IS FURTHER ORDERED that Plaintiff's motion for summary judgment is DENIED.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment is GRANTED.

SO ORDERED.

s/Arthur J. Tarnow  
Arthur J. Tarnow  
United States District Judge

Dated: July 14, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 14, 2006, by electronic and/or ordinary mail.

s/Theresa E. Taylor  
Case Manager